

Functional Series 100 – Agency Organization and Legal Affairs
Chapter 154 - Procurement of Legal Services

***This chapter replaces ADS 538, Procurement of Legal Services Abroad**

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Chapter 154 - Procurement of Legal Services

154.1 OVERVIEW

This chapter establishes policies and procedures for the occasional procurement of the services of **attorneys outside of USAID** for non-litigation matters.

154.2 PRIMARY RESPONSIBILITIES

- a. The General Counsel is responsible for ensuring that adequate legal services are provided to the Agency.
- b. Assistant General Counsels (AGCs) have the authority to approve the procurement of legal services in USAID/W and, if no Regional Legal Advisor is available, overseas.
- c. Regional Legal Advisors (RLAs) have the authority to approve the procurement of legal services overseas.

154.3 POLICY AND PROCEDURES

154.3.1 General

- a. The Office of the General Counsel (GC) and RLAs are primarily responsible for providing legal services to the Agency. Therefore, procurement of outside legal services must be approved by an AGC or RLA.
- b. This chapter does not apply to the special requirements for hiring attorneys to represent USAID in litigation. See [ADS Chapter 151](#), Reporting and Management of Litigation.
- c. This chapter does not apply to the hiring of direct-hire employees to provide legal services.
- d. This chapter does not apply to the retention of counsel to represent employees. As a general rule the Agency does not have the authority to provide legal counsel for employees, except for acts within the scope of employment. See [ADS Chapter 153](#), Indemnification of Employees and Representation of Employees by the Department of Justice or Private Counsel at Government Expense.

154.3.2 Procurement of Legal Services in USAID/W

USAID/W offices must forward requests, e.g. scope of work, for outside legal counsel to the appropriate AGC for approval.

154.3.3 Procurement of Legal Services Abroad

Missions must forward requests to the RLA or a USAID/W attorney on TDY. If neither of them is available, the request is sent to the appropriate AGC.

154.4 MANDATORY REFERENCES

154.4.1 External Mandatory References

154.4.2 Internal Mandatory References

154.5 ADDITIONAL HELP

154.6 DEFINITIONS

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